

JUL 17 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/553,365 Confirmation No.: 9079
Applicant(s): Dutta et al.
Filed: 10/14/2005
Art Unit: 2622
Examiner: Nguyen, Luong T.
Title: An Improved Mobile Camera Telephone

Attorney Docket No.: 884A.0110.U1 (US)
Customer No.: 29,683

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction

Sir:

This is in response to the Office Action mailed 06/18/2008 in regard to the above-identified patent application. Applicants elect Species I (Figures 2 and 3) with traverse. Claims 1-3 and 10-14 read on the elected species.

The examiner is requested to reconsider the restriction between the species. As stated in MPEP 1893.03(d):

"A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. The expression special technical features is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the prior art".

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Applicants submit that Species I-III (claims 1-14) all relate to a device comprising a camera module (having an image sensor) and an application processor. Species I-III all include a CPU block and a camera image processing block within the application processor. Thus, the Species I-III are linked as to form a single general inventive concept.

Applicants further submit that there was no lack of unity identified during the International Phase of the application. The examiner in the International Phase examined all of the claims. Thus, there should be no undue burden for the U.S. examiner to continue examination of all of the claims of the U.S. application.

Additionally, as noted in Annex B(c)(i) of the Administrative Instructions under the Patent Cooperation Treaty:

"If the independent claims avoid the prior art and satisfy the requirement of unity of invention, no problem of lack of unity arises in respect of any claims that depend on the independent claims. In particular, it does not matter if a dependent claim itself contains a further invention."

As indicated in section 2 of the Office Action, independent claims 1 and 14 are generic. Applicants note that dependent claims 4-9 correspond to Species II and III.

Further, as required by MPEP 1893.03(d):

"When making a lack of unity of invention requirement, the examiner must (1) list the different groups of claims and (2) explain why each group lacks unity with each

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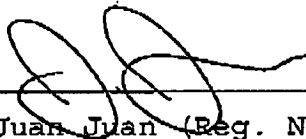
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other group (i.e., why there is no single general inventive concept) specifically describing the unique special technical feature in each group."

The examiner has not done this in this case. The examiner is requested to reconsider the restriction requirement.

If there are any additional charges with respect to this Response or otherwise, please charge deposit account 50-1924 for any fee deficiency. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,



Juan Juan (Reg. No. 60,564)

7/17/2008

Date

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

7/17/2008

Date



Name of Person Making Deposit